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January 15, 2021

**VIA ECF**

Hon. Vernon S. Broderick, U.S.D.J.  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 415  
New York, NY 10007

**Re:** *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig.*, MDL No. 2542;  
Master Docket No. 1:14-md-02542-VSB-SLC: Request to File Under Seal re Plaintiffs'  
Motion to Exclude the Proposed Testimony of Hon. Arthur Gajarsa (Ret.)

Dear Judge Broderick:

I write as counsel for Plaintiffs TreeHouse Foods, Inc., Bay Valley Foods, LLC, and Sturm Foods, Inc. (collectively, "TreeHouse") in accordance with Your Honor's Individual Rules & Practices in Civil Cases 5.B. to request leave to file under seal or to redact limited portions of the Memorandum of Law in Support of Plaintiffs' Motion to Exclude the Proposed Testimony of Hon. Arthur Gajarsa (Ret.) and certain exhibits to the Declaration of Aldo A. Badini which will be filed today, January 15, 2021.

I enclose with this letter request an unredacted version of the memorandum of law in support of the motion, with the portions requested to be sealed highlighted in yellow and green.

TreeHouse requests that the yellow-highlighted language in the memorandum of law be sealed because it quotes or paraphrases the Expert Report of Hon. Arthur Gajarsa (Ret.) that Defendant Keurig Green Mountain, Inc. ("Keurig") claims is Highly Confidential under the Stipulated Amended Protective Order. *See* ECF No. 496.

TreeHouse requests that the green-highlighted language in the memorandum of law be sealed because it quotes or paraphrases exhibits that Keurig claims are covered by the attorney-client privilege and is attempting to clawback and that Keurig also claims are Highly Confidential under the Stipulated Amended Protective Order. *See* ECF No. 496.

I also enclose unsealed versions of Exhibits B, I, and J to the Declaration of Aldo A. Badini.

Accordingly, TreeHouse asks the Court to permit the motion and Exhibits B, I, and J to be filed under seal.



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In making this request, TreeHouse is not conceding that any of the information designated as confidential by Keurig is in fact so, and TreeHouse reserves its rights to challenge such designations at a later date.

TreeHouse thanks the Court for its consideration.

Respectfully submitted,

By: /s/ Aldo A. Badini  
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Enclosures

cc: Counsel for All Parties (via ECF)